

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

ALICE PECK DAY MEMORIAL HOSPITAL, )  
THE CHESHIRE MEDICAL CENTER, and )  
VALLEY REGIONAL HOSPITAL, INC., and )  
LITTLETON HOSPITAL ASSOCIATION, INC. )  
d/b/a LITTLETON REGIONAL HEALTHCARE )  
Plaintiffs, )  
v. )  
MICHAEL SMITH, in his official capacity as the )  
Secretary of the Vermont Agency of Human Services,)  
STATE OF VERMONT AGENCY OF HUMAN )  
SERVICES, GREEN MOUNTAIN CARE BOARD )  
XAVIER BECERRA, in his official capacity as )  
Secretary of the United States Department of Health )  
and Human Services, CHIQUITA )  
BROOKS-LASURE, in her official capacity as )  
Administrator of the Centers for Medicare & )  
Medicaid Services, and CENTERS FOR )  
MEDICARE & MEDICAID SERVICES, )  
Defendants. )

Case No.: 2:21-cv-102

**MOTION TO EXTEND TIME**

Defendants Michael Smith, in his official capacity as the Secretary of the Vermont Agency of Human Services, the State of Vermont Agency of Human Services, and the Green Mountain Care Board (collectively “State Defendants”), by and through the Vermont Attorney General’s Office, respectfully move to extend the deadline to reply to Plaintiff Hospitals’ Objection to Green Mountain Care Board’s Motion to Dismiss and Sur-reply to State Defendants’ Reply in Further Support of Their Partial Motion to Dismiss.

Plaintiffs filed their Objection and Sur-reply on November 30, 2021. The deadline for State Defendants’ Reply would be December 14, 2021. Due to workload and the holiday season, the undersigned requests an enlargement until December 30, 2021 to file a reply memorandum.

This date should provide sufficient time for all parties to review the memorandum in preparation for the hearing scheduled for January 7, 2022.

Counsel for the State Defendants has conferred with the parties. Counsel for Plaintiffs will only stipulate to an enlargement until December 20, 2021. Plaintiffs' Counsel cites a scheduled time for their team to prepare for oral argument as the reason for needing a reply memorandum by December 20th. Counsel for the Federal Defendants has stipulated to December 30, 2021.

Pursuant to F.R.C.P 6(b)(1), the Court may, for good cause, extend the time for filing a responsive pleading. This enlargement is intended to provide sufficient time for all parties and the Court to review the reply memorandum prior to the January 7, 2022 hearing.

WHEREFORE, the State Defendants respectfully request that the Court grant this motion and extend the deadline for the State's reply memorandum until December 30, 2021.

DATED at South Burlington, Vermont this 7<sup>th</sup> day of December 2021.

STATE OF VERMONT

THOMAS J. DONOVAN, JR.  
ATTORNEY GENERAL

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